

**Minor Use Permit/Coastal Development Permit
DRC2011-00015 – Freedman
EXHIBIT B - CONDITIONS OF APPROVAL**

Approved Demolition and Development

1. This approval authorizes remodeling of an existing residence including a first floor addition, a garage replacement and a second story addition.
 - a. The total addition including the garage shall not exceed 50% of the existing square footage (1,099 square feet X .50 = 549.5 square feet) pursuant to the Coastal Zone Land Use Element, III. Estero Area-wide, I Shoreline Development, 4. Bluff Setbacks.
 - b. Total gross structural area of the resulting residence shall not exceed 1,648.5 square feet.
 - c. No alteration of the portion of the lot located within the 25 foot bluff setback is allowed and no alteration of the bluff face is allowed.
 - d. Non-conforming walls and foundation sections may not be removed outright. Should any non-conforming wall sections be inadvertently demolished, the reconstructed wall shall conform to Title 23 and all Planning Area Standards, and will be subject to additional permits (or revisions to permits) as applicable.
2. Maximum height is 15 feet (as measured from the center line of the fronting street at a point midway between the two side property lines projected to the street center line, to the highest point of the roof). No wall face within the front 3 feet of the residence may exceed 12 feet including the roof of the proposed staircase.

Conditions required to be completed at the time of application for construction permits

Site Development

3. At the time of application for construction permits, submit a revised site plan, floor plans and architectural elevations to the Department of Planning and Building for review and approval. The revised plan shall indicate the following and development shall be consistent with this revised and approved plan:
 - a. The total addition including the garage (added square footage) shall not exceed 50% of the existing square footage (549.5 square feet).
 - b. Total gross structural area of the resulting residence shall not exceed 1,648.5 square feet.
4. At the time of application for construction permits, all project conditions of approval of the staff report and Building Division requirements (in their referral response dated 10/6/15) shall be clearly printed on the plans. Construction documents shall be consistent with the currently adopted California Codes.
5. At the time of application for construction permits, the applicant shall provide details on any proposed exterior lighting. The details shall include the height, location, and intensity of all

exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

6. At the time of application for construction permits, the applicant shall submit a landscape plan that incorporates drought tolerant landscaping materials that help reduce potential erosion (as applicable).

Fire Safety

7. At the time of application for construction permits, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Installation of a fire sprinkler system is required for the residence.

Water and Sewer Services

8. At the time of application for construction permits, the applicant shall provide a letter from County Service Area 10A Company stating they are willing and able to continue service to the property.
9. At the time of application for construction permits, the applicant shall provide a letter from Cayucos Sanitary District stating they are willing and able to continue service to the property.

Public Works

Access

10. At the time of application for construction permits, the applicant shall submit an application, fee and plans to the Department of Public Works to secure an Encroachment Permit to reconstruct the project access driveway in accordance with County Public Improvement Standard B1 series rural driveways.
11. Prior to occupancy or final inspection, the applicant shall demonstrate that all public improvements have been constructed or reconstructed in accordance with County Public Improvement Standards and to the satisfaction of the County Public Works Inspector.
12. On-going condition of approval (valid for the life of the project), and in accordance with County Code Section 13.08, no activities associated with this permit shall be allowed to occur within the public right-of-way without a valid Encroachment Permit issued by the Department of Public Works.
13. On-going condition of approval (valid for the life of the project), the property owner shall be responsible for operation and maintenance of public road frontage landscaping in a viable condition and on a continuing basis into perpetuity.

Drainage

14. At the time of application for construction permits, the applicant shall submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) or 23.05.040 (Drainage) of the Land Use Ordinance.
15. At the time of application for construction permits, the applicant shall submit complete erosion and sedimentation control plan for review and approval in accordance with 22.52.120.
16. At the time of application for construction permits, the applicant shall demonstrate that the project construction plans are in conformance with their Storm Water Control Plan.

17. On-going condition of approval (valid for the life of the project), the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Storm Water Control Plan

18. At the time of application for construction permits, the applicant shall demonstrate whether the project is subject to the LUO Section for Storm Water Management. Applicable projects shall submit a Storm Water Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.

Building Division

19. At the time of application for construction permits, the applicant shall meet of all the requirements of the Building Division of the Department of Planning and Building...

Geologic Conditions

20. Prior to issuance of a construction permit, the applicant shall include recommendations in the Geologic Coastal Bluff Evaluation (3390 Studio Drive) prepared for Mr. Darryl Freedman & David Brown, Architect by GeoSolutions, Inc. dated September 27, 2013.

Drainage, Erosion, and Sedimentation Plan

21. At the time of application for construction permits, the applicant shall submit a preliminary drainage, erosion, and sedimentation plan which demonstrates that no stockpiling of dirt or construction materials will occur on the beach; erosion, runoff, and sedimentation measures to be implemented at the end of each day's work; all construction debris will be removed from the beach daily and at the completion of development; and no machinery will be allowed in the intertidal zone. If there is no feasible way to keep machinery out of the intertidal zone, authorization from the Coastal Commission is required.

Conditions to be completed prior to issuance of a construction permit

Fees

22. Prior to issuance of a construction permit, the applicant shall pay all applicable fees including school and public facilities fees, and any outstanding fees from previous permits.

Demolition of Portions of the Structure/Air Pollution Control District

23. Prior to issuance of a construction permit to remove or demolish any buildings or utility pipes on the subject property, the applicant shall provide evidence they have contacted APCD to determine: a) what regulatory jurisdictions apply to the proposed demolition, such as the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – Asbestos NESHAP); b) District notification requirements; c) the need for an asbestos survey conducted by Certified Asbestos Inspector; and d) applicable removal and disposal requirements of the asbestos-containing material.

Seawall Prohibition

24. Prior to issuance of any grading or construction permits, the property owner shall record a deed restriction against the property that ensures that no additional shoreline protection structure shall

be proposed or constructed to protect the development, and which expressly waives any future right to construct such devices that may exist pursuant to Public Resources Code Section 30235 and the San Luis Obispo certified LCP. Maintenance (but no expansion) of the existing rip-rap shoreline protection structure may be allowed if recommended by a Geotechnical Engineer, subject to and limited by those recommendations.

Liability

25. Prior to issuance of any grading or construction permits the property owner shall execute and record a deed restriction which acknowledges and assumes the risks of wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.

Conditions to be completed during project construction

Archaeology

26. During construction, in the event archaeological resources are unearthed or discovered, the following standards apply:
 - a. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be evaluated by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. The applicant shall implement the mitigation as required by the Environmental Coordinator.
 - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Building Height

27. The maximum height of the addition shall be as follows: Pursuant to Small Scale Design Neighborhood standards, the height limit is twelve (12) feet from the front building wall face up to but not including the proposed second story addition (which is to be set back a minimum of 3 feet from the front wall). (The front deck rail height and the proposed spiral staircase accessing the bedrooms of the second story are subject to the 12 foot height limitation). The second story (recessed 3 feet back from the front wall face) shall not exceed 15 feet as measured from the center line of the fronting street at a point midway between the two side property lines projected to the street center line, to the highest point of the roof.
 - a. Prior to any site disturbance, a licensed surveyor or civil engineer shall stake the lot corners, building corners, bluff setback line and establish the point of measurement average natural grade and set a reference point (benchmark).
 - b. Prior to approval of the foundation inspection, the benchmark shall be inspected by a building inspector prior to pouring footings, as an added precaution.
 - c. Prior to approval of the roof and deck rail nailing inspection, the applicant shall provide the building inspector with documentation that gives the two height references as noted above, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

Conditions to be completed prior to occupancy or final building inspection

Fire Safety

28. Prior to occupancy or final inspection, the applicant shall obtain final inspection and approval from Cayucos Fire Department of all required fire/life safety measures.

Landscaping

29. Landscaping in accordance with the approved landscaping plan shall be installed or bonded for before final building inspection. If bonded for, landscaping shall be installed within 60 days after final building inspection and thereafter maintained in a viable condition in perpetuity.

Development Review Inspection

30. Prior to occupancy or final inspection, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with these conditions of approval.

On-going conditions of approval (valid for the life of the project)

31. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
32. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.